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PATENT

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Katie Hales

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/808,180

Attorney Docket: DP-310029

Filing Date: 3/24/2004

Group Art Unit: 4128

Applicant: Heremans, et al.

Examiner: Salzman, Kourtney R.

Title: THERMOELECTRIC MATERIALS WITH ENHANCED SEEBECK
COEFFICIENT

MS Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

PROVISIONAL ELECTION

Sir:

This is in response to the Office Action mailed December 7, 2007, imposing a Restriction Requirement between:

Group I, claims 1-7, directed to a thermoelectric nanogranular material; and

Group II, claims 8-25, directed to a method of making a thermoelectric nanogranular material .

In response to the Restriction Requirement, Applicant provisionally elects to prosecute Group I, claims 1-7. Nevertheless, Applicants respectfully traverse the requirement.

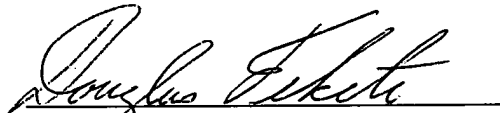
Claim 1, representative of Group I, recites a thermoelectric nanogranular material with an enhanced Seebeck coefficient. Claim 8, representative of Group II calls for a method of making

a thermoelectric nanogranular material. In view of the common features the product and method of making the product are seen as different aspects of a single invention, as opposed to different inventions. Indeed, prior art showing thermoelectric nanogranular materials, or the method of making thermoelectric nanogranular materials, would be material to, and should properly be considered in examining all claims, regardless of where such art is found within the classification scheme of the Patent Office. The Restriction Requirement unduly burdens Applicants by requiring them to file and prosecute multiple applications, and pay fees and maintain multiple patents, to obtain the patent protection to which they are entitled.

Therefore, it is respectfully requested that the Restriction Requirement be withdrawn, and that all claims of Group I and Group II be considered in the present application.

The Commissioner is hereby authorized to charge any fees associated with this communication to Deposit Account No. 50-0831.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Douglas D. Fekete", is written over a horizontal line.

Douglas D. Fekete

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